



TFW

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: December 3, 2004 Name: Andrew D. Stover, Reg. No. 38,629 Signature:

BRINKS
HOFFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Jerome S. Veith

Appln. No.: 10/693,555

Filed: October 24, 2003

For: DISPOSABLE ABSORBENT
UNDERGARMENT FOR MALES

Examiner: Not yet assigned

Art Unit: 3761

Attorney Docket No: 659/1148 (KC 18546)

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

☒ a First Supplemental Information Disclosure Statement (in duplicate); Form PTO-1449; 2 Cited References (B2-B3).

☒ Return Receipt Postcard

Fee calculation:

☒ No additional fee is required.

☐ Small Entity.

☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).

☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).

☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 44=			x \$88=	
First Presentation of Multiple Dep. Claim					+\$150=			+\$300=	
					Total	\$		Total	\$

Fee payment:

☐ A check in the amount of \$_____ is enclosed.

☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.

☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).

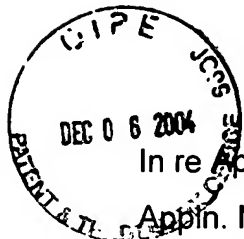
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Date

12/3/04

Andrew D. Stover (Reg. No. 38,629)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: JEROME S. VEITH

Appln. No.: 10/693,555

Filed: October 24, 2003

For: DISPOSABLE ABSORBENT
UNDERGARMENT FOR MALES

Attorney Docket No: 659/1148 (KC 18546)

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FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicant hereby cites the following reference(s):

U.S. Patent Documents

DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME
US 2003/0066122 A1	04/2003	Niedermeyer

Foreign Patent Documents

DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY
WO 03/059223 A1	07/2003	WIPO

Other Art Documents

OTHER ART – NON PATENT LITERATURE DOCUMENTS <small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.</small>
International Search Report in corresponding International Application No. PCT/US2004/011722, dated September 10, 2004, 11 pages.

Applicant is enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary,

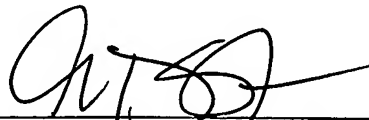
37 C.F.R. §1.98(a)(3). Applicant respectfully requests the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

This First Supplemental Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). In addition, the undersigned attorney hereby states that each item of information contained in this First Supplemental Information Disclosure Statement was first cited in a counterpart PCT application PCT/US2004/011722 on September 10, 2004, which is not more than three months prior to the filing date of this statement. No fees are believed to be due in connection with filing of this First Supplemental Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these material, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

Applicant(s) respectfully request that the listed documents be made of record in the present case.

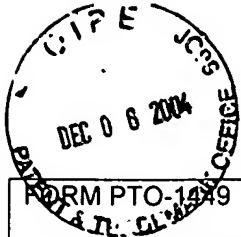
Respectfully submitted,



Andrew D. Stover (Reg. No.38,629)

December 3, 2004

Date



FORM PTO-1549	SERIAL NO. 10/693,555	CASE NO. 659/1148 (KC 18546)
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE October 24, 2003	GROUP ART UNIT 3761
(use several sheets if necessary)		APPLICANT(S): Jerome S. Veith

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	B1	US 2003/0066122 A1	04/2003	Niedermeyer		

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	B2	WO 03/059223 A1	07/2003	WIPO		

EXAMINER INITIAL	OTHER ART – NON PATENT LITERATURE DOCUMENTS (Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.	
	B3	International Search Report in corresponding International Application No. PCT/US2004/011722, dated September 10, 2004, 11 pages.

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.